

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:	:	CHAPTER 7
	:	
JAMAL LAFITTE LEWIS,	:	CASE NO. 12-58938-PWB
	:	
Debtor.	:	
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	:	
CATHY L. SCARVER, as Chapter 7 Trustee for	:	
Jamal Lafitte Lewis,	:	
	:	
Movant,	:	
	:	
v.	:	CONTESTED MATTER
	:	
U.S. BANK, NATIONAL ASSOCIATION,	:	
FULTON COUNTY TAX COMMISSIONER, THE:	:	
STILLWATER ASSET BACKED FUND L.P.,	:	
RIVER CITY BANK, COMDATA NETWORK,	:	
INC. d/b/a COMDATA CORPORATION,	:	
MANUFACTURERS AND TRADERS TRUST	:	
COMPANY, STATE OF GEORGIA	:	
DEPARTMENT OF LABOR, VILLAGE CREEK	:	
HOMEOWNERS ASSOCIATION, INC., and	:	
JAMAL L. LEWIS,	:	
	:	
Respondents.	:	
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**NOTICE OF REQUIREMENT OF RESPONSE TO MOTION FOR ORDER
APPROVING SALE OF REAL PROPERTY LOCATED AT 7252 VILLAGE CREEK
TRACE, SANDY SPRINGS, FULTON COUNTY, GEORGIA FREE AND CLEAR OF
LIENS, CLAIMS, AND ENCUMBRANCES; AND DEADLINE FOR FILING
RESPONSE; AND HEARING**

PLEASE TAKE NOTICE that Cathy L. Scarver, as Chapter 7 Trustee (“Trustee”) for the bankruptcy case of Jamal Lafitte Lewis, has filed Motion for Order Approving Sale of Real Property Located at 7252 Village Creek Trace, Sandy Springs, Fulton County, Georgia Free and Clear of Liens, Claims, and Encumbrances (the “Motion”), seeking an order approving the relief requested therein. In the Motion, Trustee is requesting authority to sell the bankruptcy estate’s right, title, and interest in real property located at 7252 Village Creek Trace, Sandy Springs, Fulton County, Georgia (the “Property”) to Eddretta Dorsey, for a Purchase Price of \$305,000.00, “As Is, Where Is, With All

Faults” free and clear of all liens, claims, and encumbrances, with all such valid liens, claims, and encumbrances attaching to the proceeds of the sale in the same order of priority and validity as they attached to the Property. Trustee is holding the purchaser’s \$15,000.00 earnest money deposit. Trustee is further requesting authority to pay from the resulting sale proceeds: (a) a total of \$18,300.00 to her broker and the real estate agent of the purchaser for their respective share of the 6% real estate commission arising from the sale of the Property; (b) the limited specific closing costs of Trustee; (c) the real estate ad valorem taxes, pro-rated to the Closing; (d) the lien against the Property of Village Creek Home Owners Association, Inc., to the extent that it is valid and that Trustee agrees with the payoff amount; and (e) any incidental costs arising from the sale of the Property, not to exceed \$1,000.00. The Property is more particularly described in Exhibit “A” of the Motion. The Sale Agreement is attached to the Motion as Exhibit “B.” To understand all the terms of the Sale Agreement, the Motion and Sale Agreement must be read in their entirety.

Your rights may be affected. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you oppose the proposed action or do not want the court to grant the relief requested, or if you want the court to consider your views, then on or before **May 23, 2014**,¹ you or your attorney must:

(1) File with the court a written response, explaining your positions and views as to why your claim should not be granted. The written response must be filed at the following address:

Clerk, United States Bankruptcy Court
Room 1340, U.S. Courthouse
75 Spring Street, S.W.
Atlanta, Georgia 30303

If you mail your response to the Clerk for filing, you must mail it early enough so that the Clerk will **actually receive** it on or before the date stated above.

(2) Mail or deliver a copy of your written response to the Movant’s attorney at the address stated below. You must attach a Certificate of Service to your written response stating when, how, and on whom (including addresses) you served the response.

If you or your attorney does not file a timely response, the court may decide that you do not oppose the relief sought, in which event the hearing scheduled below may be cancelled and the court may enter an order disallowing your claim as requested without further notice and without a hearing.

¹ Responses filed electronically may be filed up to 11:59:59 p.m. All other responses must be filed by delivery to the Clerk’s Office at or before 4:00 p.m.

If you or your attorney files a timely response, then a hearing will be held in **Courtroom 1404**, United States Courthouse, 75 Spring Street, S. W., Atlanta, Georgia 30303 at **10:00 a.m.** on **May 29, 2014**. You or your attorney must attend the hearing and advocate your position.

Dated: April 29, 2014.

LAMBERTH, CIFELLI, STOKES
ELLIS & NASON, P.A.
Special Counsel for Trustee

By: /s/ Michael J. Bargar

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